

**SOUTH BEND REDEVELOPMENT COMMISSION  
REGULAR MEETING**

January 28, 2016

11:00 a.m.

Presiding: Marcia Jones, President

227 West Jefferson Boulevard  
South Bend, Indiana

The meeting was called to order at 11:02 a.m.

**1. ROLL CALL**

Members Present: Marcia Jones, President (arrived 11:06 a.m.)  
David Varner, Vice President  
Don Inks, Secretary  
Greg Downes  
Gavin Ferlic  
John Anella

Legal Counsel: Benjamin Dougherty, Esq.

Redevelopment Staff: David Relos, Associate II  
Tracy Oehler, Recording Secretary

Others Present: Scott Ford, Executive Director  
Brian Pawlowski, Assistant Executive Director  
Aaron Kobb, Director  
Chris Dressel, Associate  
John March, Associate  
Cecil Eastman, Financial Specialist Senior  
Mark Seaman

**2. APPROVAL OF MINUTES**

**A. Approval of Minutes of the Regular Meeting of Thursday, January 14, 2016**

Upon a motion by Secretary Inks, seconded by Commissioner Downes the motion carried 4-0 (President Jones absent), the Commission approved the Minutes of the Regular Meeting of Thursday, January 14, 2016.

### 3. APPROVAL OF CLAIMS

#### A. Claims Submitted January 28, 2016

##### 324 Fund River West Development Area

American Structurepoint Inc.	169.71	Ignition Park Infrastructure Ph 1C, Div. B
Rieth Riley Construction Co. Inc.	106,638.17	Memorial North Parking Lot Divisions 2 & 3
Great Lakes Capital	65,727.00	Vapor Barrier at Ignition Park Multi-Tenant Building
American Structurepoint Inc.	19,521.17	Inspection Services for Ignition Park
Owners Association at Blackthorn Corp Park	30,275.70	2016 Association Assessment

##### 429 Fund River East Development Area

Walsh & Kelly Inc.	51,365.39	Hill & Colfax On-Site Improvements
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##### 430 Fund South Side TIF Area No. 1

Lawson-Fisher Associates	514.52	Main/Lafayette Survey
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\$274,211.66

Upon a motion by Commissioner Downes, seconded by Secretary Inks the motion carried 4-0 (President Jones absent), the Commission approved the Claims submitted January 28, 2016.

### 4. OLD BUSINESS

None.

### 5. NEW BUSINESS

#### A. River West Development Area

##### (1) Approval of Consulting Agreement for Brownfields Activities (Kolata Enterprises, LLC)

Mr. Dressel stated the proposal is to continue work with the consultant for brownfield activities including planning and implementation of the remediation work plans for the Indiana Voluntary Remediation Program for Oliver Industrial park and Studebaker Area A (Ignition Park); assessing and developing strategies to address brownfield issues within the City; and assisting with development of GIS based inventory of brownfield sites within the City.

Upon a motion by Commissioner Downes, seconded by Secretary Inks the motion carried 4-0 (President Jones absent), the Commission approved the consulting agreement for brownfields activities with Kolata Enterprises, LLC, in an amount not to exceed \$30,000.

**(2) Approval of Amended and Restated Parking Agreement (South Bend Community School Corporation)**

Mr. Kobb stated the original parking agreement between the Redevelopment Commission and South Bend Community School Corporation (SBCSC) dated December 16, 2005, called for 150 reserved spaces as an incentive to redevelop the Citizens Building. The agreement set a per space rate for parking spaces on the top two levels of the parking garage. The amended agreement allocates 125 non-reserved parking spaces throughout the entire structure at an ordinance set monthly rate of \$45 per space for 2016 and future rates to be adjusted per the South Bend Common Council ordinance. The term of the agreement remains unchanged terminating December 31, 2030.

Upon a motion by Commissioner Downes, seconded by Secretary Inks the motion carried 4-0 (President Jones absent), the Commission approved the Amended and Restated Parking Agreement with South Bend Community School Corporation.

President Jones arrived at 11:07 a.m.

**(3) Approval of Termination of Covenants, Rights, Restrictions, and Obligations under Contracts for Sale of Land for Private Development for JMS Building Project (JMS Development, LLC)**

Mr. Downes stated he would be abstaining from any discussion and voting as he is now an investor in this development.

Mr. Dougherty stated this document is a housekeeping item to clear some title exceptions on the property and does not involve any transfer of assets, commitments, or incentives.

Mr. Inks inquired as to what rights were being terminated. Mr. Dougherty replied there are two sets of contracts that the developer's lender requested to be released. One is the 2009 agreement with Mr. Friedline, which the Commission had previously signed and is being included again in the new document. The second group of agreements identified in the lender's title review process, were struck in 1973 and involved the Redevelopment Commission, the Economic Development Commission, and two private developers. The documents relate to the building that is now occupied by Woochi Japanese Fusion & Bar, and part of, but not the core of the JMS Building and contain common use restrictions based on the 1968 Renewal Plan.

Upon a motion by Secretary Inks, seconded by Vice President Varner the motion carried 4-0 (Commissioner Downes abstaining), the Commission approved Termination of Covenants, Rights, Restrictions, and Obligations under Contracts for Sale of Land for Private Development for JMS Building Project with JMS Development, LLC.

## **B. West Washington-Chapin Development Area**

### **(1) Approval the Agreement for Conceptual Planning Services for the City Cemetery Entrance and Streetscape Enhancements (Lehman & Lehman, Inc.)**

Mr. Dressel stated the proposal for professional services is for defining the scope of design needed for the enhancement of the City Cemetery entrance and related streetscape in order to provide more exposure and access to the property.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic the motion carried unanimously, the Commission approved the Agreement for Conceptual Planning Services for the City Cemetery entrance and streetscape enhancements with Lehman & Lehman, Inc., in an amount not to exceed \$13,800.

## **C. Other**

### **(1) Approval of Resolution No. 3325 Setting February 25, 2016, Public Hearing for Additional 2016 TIF Appropriations**

Mr. March stated Resolution No. 3325 sets the public hearing date for additional 2016 TIF appropriations.

Vice President Varner requested when the item is brought back, for staff to provide a summary which includes both the original appropriations and the additional appropriation amounts.

Upon a motion by Vice President Varner, seconded by Secretary Inks the motion carried unanimously, the Commission approved Resolution No. 3325 setting February 25, 2016, Public Hearing for additional 2016 TIF appropriations.

## **6. PROGRESS REPORTS**

Mr. Kobb reported there was one residential tax abatement taken to the Common Council for designation, which will be taken back for confirmation in two weeks as the Clerk's Office had not advertised it. Dr. Varner expressed concerned about the abatement being almost 100% and how the Common Council should take a look at setting limits.

Mr. Relos gave an update on the appeals on the Hall of Fame and the Hotel LaSalle property tax assessments. The Assessor's office has agreed to lower the 2013 and 2014 Hall of Fame assessments, based on the appraisal done, to \$2,500,000. The 2015 assessment is currently being appealed. Additionally, the Assessor's office has agreed to lower the 2013, 2014, and 2015 Hotel LaSalle assessments to \$450,000 for each year.

President Jones announced she had attended the Love Your City presentation and would like the Redevelopment Commissioners to think about how to make the meetings more fun.

**7. NEXT COMMISSION MEETING**

Thursday, February 11, 2016, at 9:30 a.m.

**8. ADJOURNMENT**

The meeting was adjourned at 11:20 a.m.



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Aaron Kobb, Director of Economic Resources

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Marcia I. Jones, President